UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER
PATEL, HARESH N

ART UNIT	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	10/638,233	ISHIDA ET AL.
	Examiner	**Art Unit**	
	Haresh Patel	2154	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>08 August 2003</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-18</u> is/are pending in the application.

     4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-18</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>08 August 2003</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

     a)☒ All   b)☐ Some *   c)☐ None of:

       1.☒ Certified copies of the priority documents have been received.

       2.☐ Certified copies of the priority documents have been received in Application No. _____.

       3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

     * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date <u>See Continuation Sheet</u>.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

Continuation of Attachment(s) 3). Information Disclosure Statement(s) (PTO/SB/08), Paper No(s)/Mail Date :4/13/06, 1/9/06, 9/19/05, 11/7/03.

DETAILED ACTION

1.   Claims 1-18 are subject to examination.

Priority

2.   Applicant's claim for foreign priority, 2002-233528 08/09/2002, under 35 U.S.C. 119(a)-

(d) or (f), is acknowledged. Since, the examiner does not understand Japanese language the

examiner is unable to verify the contents of the priority document. Applicant is requested to

submit the translated priority document in English for the Japan priority papers for the

verification.

Specification

3.   The title of the invention is not descriptive. A new title is required that is clearly

indicative of the invention to which the claims are directed. The present title, "Printer

configuration data setting method and server using the printer configuration data" is not

sufficient for proper classification of the claimed subject matter.

Drawings

4.   The figures submitted on 8/8/03 are acknowledged.

Information Disclosure Statement

5.   An initialed and dated copy of the applicant's IDS form 1449, paper dated 4/13/06,

1/9/06, 9/19/05, 11/7/03, is attached to the instant Office action. Applicant is requested to

submit English translation of the IDS documents that are related to the Japan priority document

(Japan office actions, mentioned on the IDS form 1449).

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

6.   Claims 1-18 are rejected under 35 U.S.C. 101 because the claimed invention is directed

to a non-statutory subject matter. The claim 1 and its dependent claims contain a method for

"setting configuration data", however the claimed storing step is does not accomplish the setting

configuration data and the outcome of the setting is not used for printing etc. Similar applies to

other groups of the claims. Claim 8, contain "server to be used"; claims 13 and 16, contain

"program to run on a server to be used", the program is not stored in a computer storage medium

such as memory.

Double Patenting

        The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. See *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970);and, *In re Thorington,* 418 F.2d 528, 163 USPQ 644 (CCPA 1969).
        A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent is shown to be commonly owned with this application. See 37 CFR 1.130(b).

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

7.   Claims 1-18 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-43 of Nuggehalli U.S. Patent No. 7,143,150. Although the conflicting claims are not identical, they are not patentably distinct from each other because the claims of the patent discloses all the limitations as disclosed such that the interpretation of usage of configuration data, printer, printer driver and handling of the configuration data as claimed is similar to the usage of graphical user interface, printer, printer server, network, SNMP, MIB, printer options and handling of configuration information of the printer.. The claimed subject matter of claims 1-43 of the patent does not specifically mention about usage of API. However, usage of API is well known in the art. It would be obvious to one of ordinary skill in the art to include the concept of using the API with the claimed subject matter of claims 1-43 of the patent in order to facilitate communicating and handling information between the printer, the server, etc., devices.

"A later patent claim is not patentably distinct from an earlier patent claim if the later claim is obvious over, or anticipated by, the earlier claim".

In re Longi, 759 F.2d at 896, 225 USPQ at 651 (affirming a holding of obviousness-type double patenting because the claims at issue were obvious over claims in four prior art patents); In re Bern, 140 F.3d at 1437, 46 USPQ2d at 1233 (Fed. Cir. 1998) (affirming a holding of obviousness-type double patenting where a patent application claim to a genus is anticipated by a patent claim to a species within that genus). " ELI LILLY AND COMPANY v BARR

LABORATORIES, INC., United States Court of Appeals for the Federal Circuit, ON PETITION

FOR REHEARING EN BANC (DECIDED: May 30, 2001).

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the
subject matter, which the applicant regards as his invention.

8. Following claims are rejected under 35 U.S.C. 112, second paragraph, as being indefinite

for failing to particularly point out and distinctly claim the subject matter which applicant

regards as the invention.

Claims 2, 14, 17, recite the limitations, "the same". There is insufficient antecedent basis

for this limitation in the claim (Please see MPEP 706.03(d)).

Claim 2 recite the limitations, "same as an application program interface between a

network communication module and a client printer driver same as the printer driver in the

server". These limitations are indefinite for failing to particularly point out and distinctly claim

the subject matter in the claim. Similar applies to claims 14 and 17.

Claim Rejections - 35 USC § 102

9. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed
in the United States before the invention by the applicant for patent or (2) a patent granted on an application for
patent by another filed in the United States before the invention by the applicant for patent, except that an
international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this

subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

10.   Claims 1-18 are rejected under 35 U.S.C. 102(e) as being anticipated by Nuggehalli, 7,43,150.

11.   As per claim 1, Nuggehalli discloses a method for setting configuration data of a printer for a printer driver in a server of an image printing system that includes a client, the printer and the server including the printer driver for the printer (e.g., col., 2, line 46 – col., 3, line 11, figures 4, 6A-6C), the method comprising the step of:

    storing the configuration data obtained from the printer into the server (e.g., col., 3, lines 47-67);

    wherein a configuration data obtaining part in the server reads the stored configuration data according to a request from the printer driver (e.g., col., 4), and sends the configuration data to the printer driver (e.g., col., 4).

12.   As per claim 2, Nuggehalli discloses the claimed limitations as rejected above. Nuggehalli also discloses wherein an application program interface between the configuration data obtaining part and the printer driver in the server is the same as an application program interface between a network communication module and a client printer driver same as the printer driver in the server (e.g., col., 8), in which the network communication module is used for obtaining configuration data of the printer for the client printer driver in a client terminal (e.g., col., 7).

13.   As per claim 3, Nuggehalli discloses the claimed limitations as rejected above.

Nuggehalli also discloses the configuration data obtaining part comprising:

the application program interface (e.g., col. 8);

a part for determining which piece of configuration data to obtain among the stored

configuration data on the basis of information from the application program interface (e.g., col.

8); and

a part for accessing the configuration data and reads the determined piece of configuration

data (e.g., col., 7).

14.   As per claim 4, Nuggehalli discloses the claimed limitations as rejected above.

Nuggehalli also discloses wherein the configuration data to be stored in the server is obtained

from the printer by using a network communication module that performs bidirectional

communication with the printer (e.g., col., 9).

15.   As per claim 5, Nuggehalli discloses the claimed limitations as rejected above.

Nuggehalli also discloses wherein the configuration data is obtained by a computer that includes

a software tool that causes the computer to display a window for selecting at least one printer

driver included in the computer and to obtain configuration data from a printer corresponding to

the selected printer driver (e.g., col., 4).

16.   As per claim 6, Nuggehalli discloses the claimed limitations as rejected above.

Nuggehalli also discloses wherein the client, instead of the server, stores the configuration data,

and the configuration data obtaining part in the server obtains the configuration data from the

client (e.g., col., 4).

17.   As per claim 7, Nuggehalli discloses the claimed limitations as rejected above.

Nuggehalli also discloses wherein the server is used for realizing server-based computing in

which application processing is handled by the server and not by the client (e.g., col., 4).

18.   As per claim 8, Nuggehalli discloses the claimed limitations as rejected above.

Nuggehalli also discloses a server to be used in an image printing system that includes a client, a

printer and the server including a printer driver for the printer (e.g., col., 2, line 46 – col., 3, line

11, figures 4, 6A-6C), the server comprising:

     a part for storing configuration data obtained from the printer (e.g., col., 3, lines 47-67);

and

     an configuration data obtaining part, wherein the configuration data obtaining part reads

the stored configuration data according to a request from the printer driver (e.g., col., 4), and

sends the configuration data to the printer driver (e.g., col., 4).

19.   As per claim 9, Nuggehalli discloses the claimed limitations as rejected above.

Nuggehalli also discloses wherein an application program interface between the configuration

data obtaining part and the printer driver in the server is the same as an application program

interface between a network communication module and a client printer driver same as the

printer driver in the server (e.g., col., 8), in which the network communication module is used for

obtaining configuration data of the printer for the client printer driver in a client terminal (e.g., col., 8).

20.   As per claim 10, Nuggehalli discloses the claimed limitations as rejected above. Nuggehalli also discloses the configuration data obtaining part comprising:

the application program interface(e.g., col., 8),

a part for determining which piece of configuration data to obtain among the stored configuration data on the basis of information from the application program interface (e.g., col., 8); and

a part for accessing the configuration data and reads the determined piece of configuration data (e.g., col., 7).

21.   As per claim 11, Nuggehalli discloses the claimed limitations as rejected above. Nuggehalli also discloses wherein the configuration data to be stored in the server is obtained from the printer by using a network communication module that performs bidirectional communication with the printer (e.g., col., 9).

22.   As per claim 12, Nuggehalli discloses the claimed limitations as rejected above. Nuggehalli also discloses wherein the configuration data is obtained by a computer that includes a software tool that causes the computer to display a window for selecting at least one printer driver included in the computer and to obtain configuration data from a printer corresponding to the selected printer driver (e.g., col., 4).

23.   As per claim 13, Nuggehalli discloses the claimed limitations as rejected above.

Nuggehalli also discloses a program to run on a server to be used in an image printing system

that includes a client, a printer and the server including a printer driver for the printer (e.g., col.,

2, line 46 – col., 3, line 11, figures 4, 6A-6C), the program comprising:

     configuration data obtaining program code means for reading configuration data of the

printer according to a request from the printer driver (e.g., col., 3, lines 47-67), and sends the

configuration data to the printer driver, wherein the configuration data is obtained from the

printer and is stored in the server (e.g., col., 4).

24.   As per claim 14, Nuggehalli discloses the claimed limitations as rejected above.

Nuggehalli also discloses wherein an application program interface between the configuration

data obtaining program code means and the printer driver in the server is the same as an

application program interface between a network communication module and a client printer

driver same as the printer driver in the server (e.g., col., 8) in which the network communication

module is used for obtaining configuration data of the printer for the client printer driver in a

client terminal (e.g., col., 7).

25.   As per claim 15, Nuggehalli discloses the claimed limitations as rejected above.

Nuggehalli also discloses the configuration data obtaining program code means (e.g., col., 2, line

46 – col., 3, line 11, figures 4, 6A-6C), comprising:

program code means for realizing the application program interface (e.g., col., 3, lines 47-67);

program code means for determining which piece of configuration data to obtain among the stored configuration data on the basis of information from the application program interface (e.g., col., 4), and

program code means for accessing the configuration data and reads the determined piece of configuration data (e.g., col., 4).

26.   As per claim 16, Nuggehalli discloses the claimed limitations as rejected above. Nuggehalli also discloses a computer readable medium storing a program to run on a server to be used in an image printing system that includes a client, a printer and the server including a printer driver for the printer (e.g., col., 2, line 46 – col., 3, line 11, figures 4, 6A-6C), the program comprising:

configuration data obtaining program code means for reading configuration data of the printer according to a request from the printer driver (e.g., col., 3, lines 47-67), and sends the configuration data to the printer driver, wherein the configuration data is obtained from the printer and is stored in the server (e.g., col., 4).

27.   As per claim 17, Nuggehalli discloses the claimed limitations as rejected above. Nuggehalli also discloses wherein an application program interface between the configuration data obtaining program code means and the printer driver in the server is the same as an application program interface between a network communication module and a client printer

driver same as the printer driver in the server (e.g., col., 8),, in which the network

communication module is used for obtaining configuration data of the printer for the client

printer driver in a client terminal (e.g., col., 7).

28.   As per claim 18, Nuggehalli discloses the claimed limitations as rejected above.

Nuggehalli also discloses the configuration data obtaining program code means (e.g., col., 2, line

46 – col., 3, line 11, figures 4, 6A-6C), comprising:

    program code means for realizing the application program interface (e.g., col., 3, lines 47-

67);

    program code means for determining which piece of configuration data to obtain among

the stored configuration data on the basis of information from the application program interface

(e.g., col., 4); and

    program code means for accessing the configuration data and reads the determined piece

of configuration data (e.g., col., 4).

29.   Claims 1-18 are rejected under 35 U.S.C. 102(e) as being anticipated by Perkins et al.,

2003/0184782, Hewlett Packard Company (Hereinafter Perkins-Hewlett-Packard).

30.   As per claim 1, Perkins-Hewlett-Packard discloses a method for setting configuration

data of a printer for a printer driver in a server of an image printing system that includes a client,

the printer and the server including the printer driver for the printer (e.g., figures 2, 3, col., 2), the

method comprising the step of:

storing the configuration data obtained from the printer into the server (e.g., col., 2);

wherein a configuration data obtaining part in the server reads the stored configuration

data according to a request from the printer driver (e.g., col., 4), and sends the configuration data

to the printer driver (e.g., figures 2, 3, col., 4).

31.   As per claim 2, Perkins-Hewlett-Packard discloses the claimed limitations as rejected

above. Perkins-Hewlett-Packard also discloses wherein an application program interface

between the configuration data obtaining part and the printer driver in the server is the same as

an application program interface between a network communication module and a client printer

driver same as the printer driver in the server (e.g., col., 3), in which the network communication

module is used for obtaining configuration data of the printer for the client printer driver in a

client terminal (e.g., col., 4).

32.   As per claim 3, Perkins-Hewlett-Packard discloses the claimed limitations as rejected

above. Perkins-Hewlett-Packard also discloses the configuration data obtaining part comprising:

the application program interface (e.g., col., 3);

a part for determining which piece of configuration data to obtain among the stored

configuration data on the basis of information from the application program interface (e.g., col.,

3); and

a part for accessing the configuration data and reads the determined piece of configuration

data (e.g., col., 4).

33.   As per claim 4, Perkins-Hewlett-Packard discloses the claimed limitations as rejected

above. Perkins-Hewlett-Packard also discloses wherein the configuration data to be stored in the

server is obtained from the printer by using a network communication module that performs

bidirectional communication with the printer (e.g., col., 2).

34.   As per claim 5, Perkins-Hewlett-Packard discloses the claimed limitations as rejected

above. Perkins-Hewlett-Packard also discloses wherein the configuration data is obtained by a

computer that includes a software tool that causes the computer to display a window for selecting

at least one printer driver included in the computer and to obtain configuration data from a

printer corresponding to the selected printer driver (e.g., col., 4).

35.   As per claim 6, Perkins-Hewlett-Packard discloses the claimed limitations as rejected

above. Perkins-Hewlett-Packard also discloses wherein the client, instead of the server, stores

the configuration data, and the configuration data obtaining part in the server obtains the

configuration data from the client (e.g., col., 3).

36.   As per claim 7, Perkins-Hewlett-Packard discloses the claimed limitations as rejected

above. Perkins-Hewlett-Packard also discloses wherein the server is used for realizing server-

based computing in which application processing is handled by the server and not by the client

(e.g., col., 3).

37.   As per claim 8, Perkins-Hewlett-Packard discloses the claimed limitations as rejected

above. Perkins-Hewlett-Packard also discloses a server to be used in an image printing system

that includes a client, a printer and the server including a printer driver for the printer (e.g.,

figures 2, 3, col., 2), the server comprising:

  a part for storing configuration data obtained from the printer (e.g., col., 2); and

  an configuration data obtaining part, wherein the configuration data obtaining part reads

the stored configuration data according to a request from the printer driver (e.g., col., 4), and

sends the configuration data to the printer driver (e.g., figures 2, 3, col., 4).

38.   As per claim 9, Perkins-Hewlett-Packard discloses the claimed limitations as rejected

above. Perkins-Hewlett-Packard also discloses wherein an application program interface

between the configuration data obtaining part and the printer driver in the server is the same as

an application program interface between a network communication module and a client printer

driver same as the printer driver in the server (e.g., col., 3), in which the network communication

module is used for obtaining configuration data of the printer for the client printer driver in a

client terminal (e.g., col., 4).

39.   As per claim 10, Perkins-Hewlett-Packard discloses the claimed limitations as rejected

above. Perkins-Hewlett-Packard also discloses the configuration data obtaining part comprising:

  the application program interface (e.g., col., 3);

a part for determining which piece of configuration data to obtain among the stored

configuration data on the basis of information from the application program interface (e.g., col.,

3); and

a part for accessing the configuration data and reads the determined piece of configuration

data (e.g., col., 4).

40.　　　As per claim 11, Perkins-Hewlett-Packard discloses the claimed limitations as rejected

above. Perkins-Hewlett-Packard also discloses wherein the configuration data to be stored in

the server is obtained from the printer by using a network communication module that performs

bidirectional communication with the printer (e.g., col., 2).

41.　　　As per claim 12, Perkins-Hewlett-Packard discloses the claimed limitations as rejected

above. Perkins-Hewlett-Packard also discloses wherein the configuration data is obtained by a

computer that includes a software tool that causes the computer to display a window for selecting

at least one printer driver included in the computer and to obtain configuration data from a

printer corresponding to the selected printer driver (e.g., col., 4).

42.　　　As per claim 13, Perkins-Hewlett-Packard discloses the claimed limitations as rejected

above. Perkins-Hewlett-Packard also discloses a program to run on a server to be used in an

image printing system that includes a client, a printer and the server including a printer driver for

the printer (e.g., figures 2, 3, col., 2), the program comprising:

configuration data obtaining program code means for reading configuration data of the

printer according to a request from the printer driver (e.g., col., 2); and sends the configuration

data to the printer driver, wherein the configuration data is obtained from the printer and is stored

in the server (e.g., figures 2, 3, col., 4).

43.   As per claim 14, Perkins-Hewlett-Packard discloses the claimed limitations as rejected

above. Perkins-Hewlett-Packard also discloses wherein an application program interface

between the configuration data obtaining program code means and the printer driver in the server

is the same as an application program interface between a network communication module and a

client printer driver same as the printer driver in the server (e.g., col., 3), in which the network

communication module is used for obtaining configuration data of the printer for the client

printer driver in a client terminal (e.g., col., 4).

44.   As per claim 15, Perkins-Hewlett-Packard discloses the claimed limitations as rejected

above. Perkins-Hewlett-Packard also discloses the configuration data obtaining program code

means comprising:

      program code means for realizing the application program interface (e.g., col., 3);

      program code means for determining which piece of configuration data to obtain among

the stored configuration data on the basis of information from the application program interface

(e.g., col., 3); and

      program code means for accessing the configuration data and reads the determined piece

of configuration data (e.g., col., 4).

45.   As per claim 16, Perkins-Hewlett-Packard discloses the claimed limitations as rejected

above. Perkins-Hewlett-Packard also discloses a computer readable medium storing a program

to run on a server to be used in an image printing system that includes a client, a printer and the

server including a printer driver for the printer (e.g., figures 2, 3, col., 2), the program

comprising:

        configuration data obtaining program code means for reading configuration data of the

printer according to a request from the printer driver (e.g., col., 2), and sends the configuration

data to the printer driver, wherein the configuration data is obtained from the printer and is stored

in the server (e.g., figures 2, 3, col., 4).

46.   As per claim 17, Perkins-Hewlett-Packard discloses the claimed limitations as rejected

above. Perkins-Hewlett-Packard also discloses wherein an application program interface

between the configuration data obtaining program code means and the printer driver in the server

is the same as an application program interface between a network communication module and a

client printer driver same as the printer driver in the server (e.g., col., 3), in which the network

communication module is used for obtaining configuration data of the printer for the client

printer driver in a client terminal (e.g., col., 4).

47.   As per claim 18, Perkins-Hewlett-Packard discloses the claimed limitations as rejected

above. Perkins-Hewlett-Packard also discloses the configuration data obtaining program code

means (e.g., figures 2, 3, col., 2) comprising:

program code means for realizing the application program interface (e.g., col., 3);

program code means for determining which piece of configuration data to obtain among

the stored configuration data on the basis of information from the application program interface

(e.g., col., 3); and

program code means for accessing the configuration data and reads the determined piece

of configuration data (e.g., col., 4).

Conclusion

48.   The prior art made of record (forms PTO-892 and applicant provided IDS cited arts) and

not relied upon is considered pertinent to applicant's disclosure. For example, 5,768,483,

06/16/1998, Maniwa et al., contains usage of MIBs for the configuration data.

Examiner has cited particular columns and line numbers and/or paragraphs and/or

sections and/or page numbers in the reference(s) as applied to the claims above for the

convenience of the applicant. Although the specified citations are representative of the teachings

of the art and are applied to the specific limitations within the individual claim, other passages

and figures may apply as well. It is respectfully requested from the applicant in preparing

responses, to fully consider the references in entirety, as potentially teaching, all or part of the

claimed invention, as well as the context of the passage, as taught by the prior art or disclosed by

the Examiner.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Haresh Patel whose telephone number is (571) 272-3973. The

examiner can normally be reached on Monday, Tuesday, Thursday and Friday from 10:00 am to

8:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Nathan Flynn, can be reached at (571) 272-1915. The fax phone number for the

organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Haresh Patel

May 7, 2007